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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

COPART INC.,

Plaintiff,

vs.

CRUM & FORSTER INDEMNITY  
COMPANY<sup>1</sup>, UNITED STATES FIRE  
INSURANCE COMPANY, and DOES 1-10,

Defendants.

Case No.: C 07 2684 CW (EDL)

**US FIRE'S OBJECTIONS TO COPART'S  
REPLY EVIDENCE**

Date: August 21, 2008

Time: 2:00 p.m.

Action File: March 20, 2007

Trial Date: November 10, 2008

AND RELATED COUNTERCLAIM

<sup>1</sup> Dismissed by Order Upon Stipulation (6/15/07)

**OBJECTION #1**

**(LARSON REPLY DECLARATION, EXHIBIT A)**

US Fire objects to Exhibit A (Rote Deposition) at 55:22-56:3 and 111:3-7.

In both instances, after answering the question posed, the witness made additional but non-responsive comments about issues of law. Motions to strike the non-responsive comments were promptly made. The motions should be sustained; or alternatively, because the comments concern issues of law, they should just be ignored.

**OBJECTION #2**

**(LARSON REPLY DECLARATION, EXHIBIT D)**

US Fire objects to Exhibit D (Wills Deposition).

The testimony of the independent adjuster hired by US Fire to investigate Copart's claims is irrelevant to the interpretation of the contract. The contract speaks for itself, and the adjuster had nothing to do with its formation. There is no foundation of that he ever even saw the contract and no foundation that he has expertise to offer an opinion on any hypothetical issue. Insofar as Copart is merely arguing that the 2005-2006 policy's "Schedule of Locations" form and the "Property Statement of Values 8-8-05" spreadsheet are separate pieces of paper, that fact is obvious from the documents.

The Court should sustain US Fire's objections and exclude the evidence cited above from consideration.

DATED: August 7, 2008

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By /s/ Samuel H. Ruby  
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